

unanimous consent S. B. No. 563 was ordered not printed.

Senate Bill 564 Ordered Not Printed

On motion of Senator Berry and by unanimous consent S. B. No. 564 was ordered not printed.

House Bill 288 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 288 was ordered not printed.

House Bill 289 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 289 was ordered not printed.

House Bill 747 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 747 was ordered not printed.

House Concurrent Resolution 100 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 100, Inviting the Honorable John Connally, Governor of the State of Texas to address a Joint Session on Wednesday, April 19, 1967, at 7:30 p.m.

The resolution was read and was adopted.

Welcome Resolutions

S. R. No. 426—By Senator Creighton: Extending welcome and privileges of the floor to Mrs. Mary K. Wall.

S. R. No. 427—By Senator Herring: Extending welcome to teacher and students of senior civics class of Blanco High School.

S. R. No. 429—By Senator Word: Extending welcome to teacher and students of government class of Burleson High School.

S. R. No. 430—By Senator Word: Extending welcome to teacher and students of Bandera Junior High School.

S. R. No. 431—By Senator Herring: Extending welcome to teacher and students of Becker Elementary School of Austin.

S. R. No. 432—By Senator Herring: Extending welcome to teachers and students of seventh grade government class of San Marcos Junior High School.

S. R. No. 433—By Senator Herring: Extending welcome to teachers and students of Coupland Elementary School.

S. R. No. 434—By Senator Moore: Extending welcome to assistant principal and students of junior and senior classes of Navasota High School.

S. R. No. 436—By Senators Herring and Watson: Extending welcome to teachers, parents and students of Rabbit Hill Kindergarten of Georgetown.

Adjournment

On motion of Senator Aikin the Senate at 4:38 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

April 18, 1967

S. J. R. No. 4

FIFTIETH DAY

(Wednesday, April 19, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Herring submitted the following reports:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 511, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 310, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 494, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 578, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 272, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 601, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Berry submitted the following report:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Military and Veterans Affairs, to which was referred H. B. No. 406, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BERRY, Chairman.

Senator Cole submitted the following reports:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 115, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 283, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 484, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 770, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 544, have had the same under consideration, and I

am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 557, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 556, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 358, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 422, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Senator Hall submitted the following reports:

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 318, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 550, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 215, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 63, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

WORD
CHRISTIE

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 642, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 686, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 685, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 997, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 624, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 188, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
April 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 922, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Senate Resolution 438

Senator Hardeman offered the following resolution:

Whereas, On July 1, 1867—a date ever since observed as a public holiday—Canada became the first federal union in the British Empire, and the year 1967 is being celebrated as the Centenary of the Confederation of Canada; and

Whereas, The recorded history of this great Union—which sprang from necessity—began with the expedition led by Leif Erickson about 1000 A.D. from Greenland to the shores of Canada. However, it was not until near the close of the fifteenth century that Europeans led by John Cabot visited the area, after which fishermen from Europe began to visit the Newfoundland Banks and the coasts of the mainland of America; and

Whereas, In 1534 a French expedition under Jacques Cartier entered the Gulf of St. Lawrence and sailed up the river as far as the Lachine Rapids to the present site of Montreal. Fishing and fur-trading gained attention, but no colonization was effected until the beginning of the seventeenth century under the leadership of Samuel de Champlain. He sailed up the St. Lawrence in 1603 in the service of Henry IV of France and worked unceasingly until his death in 1635 to develop and colonize Canada, to promote the fur trade and explore the interior; and

Whereas, With the Thirty Years'

War (1618-1648) raging in Europe, during which England was sometimes fighting France, development suffered and Champlain was forced to surrender in 1629 to an English fleet. In 1632 Canada was restored to France by the Treaty of St. Germain-en-Laye, followed by the formation of the Company of New France—or the One Hundred Associates—by Cardinal Richelieu, which was granted the whole St. Lawrence Valley and received the guarantee that its products could enter France duty free for 15 years from the year 1629 in return for colonization; and

Whereas, During this period Canada became the favorite mission of the Roman Catholic Church, in which the order of the Society of Jesus—the Jesuits—gained chief attention because of their zeal, as well as by reason of the tragic fate of some of their missionaries at the hands of the Iroquois, who were also engaged in relentless war against the Huron Indians. The Hurons were almost completely destroyed by the Iroquois in 1649. The company planned by Richelieu was a failure, doing little to colonize New France, and commercial life languished; and

Whereas, In 1659 French explorers had reached the prairies of the Far West. In 1666 a French mission was established on the shores of Lake Superior. This was followed by explorations of the Upper Mississippi by Jolliet and Marquette. In 1678 Robert Cavelier, Sieur de La Salle, moving westward from Quebec, discovered the true character of the Mississippi. He descended it to the sea in 1682 and named the entire valley Louisiana, in honor of Louis XIV of France. The importance of the Mississippi River was recognized by the French, and they determined to occupy the valley by closing in from the rear on the English on the Atlantic Seaboard and seizing their colonists, even though they were considerably outnumbered by the English. Continuous fighting between England and France in Europe eventually led to France's defeat in America; and

Whereas, With colonization on the Atlantic Coast and war in Europe a continual drain on the government, it was inevitable that France should suffer defeat. A young Virginia officer, George Washington, was sent to drive the French from Ft. Duquesne in 1754. While he was unsuccessful—as

was General Braddock the following year—it was nevertheless the training which Colonel Washington received here that enabled him to lead the Revolutionary Army of 1775 to victory over the British, culminating in the surrender of Cornwallis at Yorktown in 1781. Following the defeat of General Montcalm on the Heights of Abraham and the capture of Quebec by General James Wolfe—who minimized this victory with the statement that he would rather be the author of the great poem Grey's *Elegy* than take Quebec—French power was broken and Canada was ceded to Great Britain by the Peace of Paris in 1763; and

Whereas, Shortly thereafter, the American Revolution was begun and exerted profound influence on the life of Canada: it became the refuge of American loyalists, who held allegiance to Great Britain and were consequently rewarded by large grants of land and cash. The French influence in Lower Canada and that of the British in Upper Canada resulted in the passage of the Constitutional Act of 1791 separating the two areas, each with its own government. The War of 1812 between the United States and Great Britain, which resulted chiefly from Napoleon's continental policy, seemed to provide a renewed opportunity for the annexation of Canada to the American Union, and Canada became the main theatre of conflict. The United States invasion failed, however, and by the Treaty of Ghent in 1814, the previous position was left unchanged; and

Whereas, Following the War of 1812, efforts were made to unite Lower and Upper Canada, and Lord Durham was sent to govern Canada. In 1840 an Act of Union was passed by the British Government, and by 1849 Canada's right of self-control was recognized when the Earl of Elgin served as Governor. In 1854 Lord Elgin negotiated reciprocal trade agreements with the United States, and the War Between the States, beginning in 1861, increased the demand for Canadian products which continued until 1865. In that year, the United States canceled the treaty, and it was never renewed; and

Whereas, Starting with its membership as the first federal union within the British Empire, Canada began a new era of development which paralleled the opening of the Ameri-

can West and has continued to this day: the histories of the Canadian Pacific Railroad and the Canadian National Railways, which were pushed across the broad continent despite difficulties of geography, politics, and financial resources, provide reading more colorful than fiction, and these railroads today offer transportation nonpareil; and

Whereas, The wheat fields of Manitoba and Saskatchewan provide bread throughout the world; the vast forests of the Canadian Rockies in the West and the Laurentians and other mountain ranges of the East are the source of vast lumbering and paper mill industries; the precious metals—gold, silver and uranium—and minerals more utilitarian—such as iron and coal—have been the foundation of industrial growth so that the smokestacks and machines of Canadian cities make them rivals of such American cities as Detroit, Pittsburgh and Chicago; Canada's leadership in the arts and culture as the result of both Gallic and British backgrounds, and enriched more recently by immigration from central European countries and Scandinavia, is recognized throughout the world; and

Whereas, The development of Canadian petroleum resources in Alberta and British Columbia has brought ever closer the ties of friendship which exist between this great nation and our own State of Texas—with Rainbow Lake, Aitkin Creek, and Calgary reminiscent of earlier Texas discoveries and booms at Spindletop, Burkburnett, and East Texas; and

Whereas, This sister nation of the United States is celebrating her centennial with a spectacular exposition—Expo '67—on a beautiful island site in the St. Lawrence River off Montreal, and the State of Texas wishes to recognize the people of Canada for their great achievements during a century of growth and development; now, therefore, be it

Resolved, That the Senate of the 60th Legislature of the State of Texas does hereby extend good wishes for this celebration of the Centenary of the Confederation of Canada; and, be it further

Resolved, That we congratulate Canada as a nation counted among the most esteemed countries of the earth—for her way of life, her

geographic situation and advantages, her history of nonaggression, and, above all, her record of accomplishment; and, be it further

Resolved, That copies of this Resolution be prepared under the Seal of the Senate of the State of Texas to be sent, as a token of our highest regard for the people and government of this great and friendly neighbor to our north, to the Honorable Lester Pearson, Prime Minister of Canada; to the Honorable Paul Contois, C.P., Lieutenant Governor of Quebec, host Province for Expo '67; and to the Honorable Jean Drapeau, Mayor of Montreal, host city, and to the Royal Bank of Canada in Montreal from whose renowned Monthly Letters much information herein has been obtained.

The resolution was read and was adopted.

Birthday Greetings Extended to Journal Clerk

The Chair recognized Senator Hardeman who extended on behalf of the Members of the Senate best wishes for a Happy Birthday to Mrs. Minnie Meier, Journal Clerk of the Senate.

The President congratulated the Journal Clerk and expressed appreciation for her years of outstanding and dedicated service to the State of Texas.

The President ordered the recognition of Mrs. Meier printed in the Senate Journal.

Senate Bill 566 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

| | |
|-----------|------------|
| Aikin | Connally |
| Bates | Creighton |
| Bernal | Grover |
| Berry | Hall |
| Blanchard | Hardeman |
| Brooks | Harrington |
| Christie | Hazlewood |
| Cole | Herring |

| | |
|-----------|----------|
| Hightower | Reagan |
| Jordan | Schwartz |
| Kennard | Strong |
| Mauzy | Wade |
| Moore | Watson |
| Parkhouse | Wilson |
| Patman | Word |
| Ratliff | |

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 566, A bill to be entitled "An Act authorizing the Board of Regents, State Senior Colleges, for and on behalf of Sam Houston State College, to execute a quitclaim deed of the right, title and interest of said college in and to the estate of William Victor Adams, deceased, unto a corporation or foundation to be created for the purposes of administering trusts and handling of scholarship gifts and bequests for educational purposes at Sam Houston State College, its successor or assigns, and declaring an emergency."

To the Committee on State Affairs.

House Concurrent Resolution 95 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 95, Memorial resolution for the Honorable James A. Hairgrove.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. B. No. 236, A bill to be entitled "An Act authorizing the Texas Department of Mental Health and Mental Retardation to make contracts for the provision of mental health and mental retardation services; amending Section 2.13, chapter 67, Acts of the 59th Legislature, Regular Session, 1965 (codified as Section 2.13, Article 5547-202, Vernon's Texas

Civil Statutes); and declaring an emergency."

H. C. R. No. 100, Extending invitation to The Honorable John Connally to address a Joint Session on Wednesday, April 19, 1967 at 7:30 p.m.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 379, A bill to be entitled "An Act authorizing the Texas Department of Mental Health and Mental Retardation to provide services for widows of Confederate soldiers and sailors in licensed nursing homes; and declaring an emergency."

S. B. No. 369, A bill to be entitled "An Act relating to fees for services provided by community centers; requiring county attorneys to file suit on behalf of such centers to collect for services; amending Section 3.14, chapter 67, Acts of the 59th Legislature, Regular Session, (codified as Section 3.14, Article 5547-203, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act prohibiting a person from taking off, landing, or maneuvering an airplane on a public highway, road, or street; providing a penalty; and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act relating to the creation, administration, powers, duties and financing of the North Cherokee County Hospital District, providing a severability clause and declaring an emergency."

H. B. No. 596, A bill to be entitled "An Act relating to the creation of the Wood County Central Hospital District of Wood County, Texas, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 308, A bill to be entitled "An Act creating the office of crimi-

nal district attorney of Bowie County, and prescribing his powers, duties, and compensation; abolishing the office of county attorney of Bowie County and the office of district attorney of the Fifth Judicial District; and declaring an emergency."

H. B. No. 355, A bill to be entitled "An Act relating to minimum safety standards for crash helmets and making it a misdemeanor to operate or ride certain motor vehicles on a public street or highway without wearing a crash helmet approved by the Texas Department of Public Safety; and declaring an emergency."

H. B. No. 478, A bill to be entitled "An Act directing the State Department of Health to develop and carry out a program to provide psychological and audiological tests to deaf or hard-of-hearing persons in certain areas of the State; and declaring an emergency."

H. B. No. 1038, A bill to be entitled "An Act creating the constitutional office of Criminal District Attorney for Victoria County, Texas; providing the method of appointment and subsequent election of such criminal district attorney; abolishing the office of County Attorney of Victoria County; providing for compensation for the criminal district attorney; providing an assistant, stenographers and a chief clerk, and providing for salaries and manner of payment; limiting the jurisdiction of the District Attorney for the 24th Judicial District; providing a repealing clause; providing a severance clause; and declaring an emergency."

S. B. No. 525, A bill to be entitled "An Act amending Sections 1, 5, 6, 7, and 11, of H. B. No. 230, Chapter 272, Acts of the 52nd Legislature, Regular Session, 1951 (Art. 2815t, V.T.C.S.); providing that construction of any buildings, the prescribing of courses of study and degree offerings, and the date of beginning of courses of instruction, shall be approved by the Coordinating Board, Texas College and University System; providing a repealing clause; providing a severability clause; and declaring an emergency."

(With Amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 170, to Committee on Water and Conservation.

H. B. No. 172, to Committee on Water and Conservation.

H. B. No. 186, to Committee on Water and Conservation.

H. B. No. 367, to Committee on Counties, Cities and Towns.

H. B. No. 466, to Committee on Jurisprudence.

H. B. No. 752, to Committee on Public Health.

H. B. No. 768, to Committee on Counties, Cities and Towns.

Senate Bill 82 Re-referred

Senator Bernal moved that S. B. No. 82 be withdrawn from the Committee on Labor and Management Relations and be re-referred to the Committee on State Departments and Institutions.

There was objection.

Question on motion to re-refer, "Yeas" and "Nays" were demanded.

The motion prevailed by the following vote:

Yeas—16

| | |
|------------|----------|
| Bates | Herring |
| Bernal | Jordan |
| Berry | Kennard |
| Brooks | Mauzy |
| Christie | Patman |
| Cole | Schwartz |
| Hall | Strong |
| Harrington | Wilson |

Nays—14

| | |
|-----------|-----------|
| Aikin | Moore |
| Blanchard | Parkhouse |
| Creighton | Ratliff |
| Grover | Reagan |
| Hardeman | Wade |
| Hazlewood | Watson |
| Hightower | Word |

Absent

Connally

Senate Bill 525 With House Amendments

Senator Hardeman called S. B. No. 525 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend S. B. No. 525 by adding a new section to be known as Section "1A" to read as follows:

"Any college created under the authority of said Chapter 272 shall be subject to all provisions of Chapter 487, Acts of the 54th Legislature, Regular Session, 1955, as amended by Chapter 488, Acts of the 56th Legislature, 1959, as amended by Chapter 12, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 2919e-2, Vernon's Texas Civil Statutes), and it is further provided that the Coordinating Board, Texas College and University System, shall determine the date upon which any college of any grade or level created hereunder shall begin courses of instruction, such date to be determined only if a feasibility study by the Coordinating Board, Texas College and University System, shall establish a need for any such college.

Committee Amendment 2

Amend S. B. No. 525 by deleting all of Section 5a.

The House amendments were read.

Senator Hardeman moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Vote

Senator Herring asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 525.

House Bill 465 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 465, A bill to be entitled "An Act relating to the benefits payable from and the administration and organization of Firemen's Relief and Retirement Funds; amending Sections 6, 7A, and 10A and adding Sections 3B, 7E, 7F, and 13A, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Senator Reagan offered the following amendment to the bill:

H. B. No. 465 is amended by striking all of Subsection (a) of Section 7E, which begins on page 2, line 29, and substituting the following:

"(a) This section applies only to cities having a population of less than one hundred sixty-five thousand (165,000) and to cities having a population of more than one hundred eighty-five thousand (185,000) according to the last preceding Federal census, and having an organized 'fully paid' fire department covered by a Firemen's Relief and Retirement Fund."

The amendment was read and was adopted.

Senator Reagan offered the following amendment to the bill:

H. B. No. 465 is amended by striking all language following "Sec. 5." on page 2, line 65 through the word "than" on page 3, line 11, and substituting the following:

"Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes), is amended by adding a new section to read as follows:

"Section 10A-2. (a) In all cities having fully paid firemen where Firemen's Relief and Retirement Funds now exist or shall be created under the provisions of this Act and having a population of less than one hundred sixty-five thousand (165,000) according to the last preceding Federal census, the city or the governing body of the city shall deduct an amount equal to no less than".

The amendment was read and was adopted.

Senator Reagan offered the following amendment to the bill:

H. B. No. 465 is amended by striking "one hundred eighty-five thousand (185,000)" on page 1, line 25, and substituting "one hundred sixty-five thousand (165,000)".

The amendment was read and was adopted.

Senator Reagan offered the following amendment to the bill:

H. B. No. 465 is amended by inserting on page 2, line 17, following "Section 13A." the following sentence:

"This section applies only to cities having a population of less than one hundred sixty-five thousand (165,000) and to cities having a population of more than one hundred eighty-five thousand (185,000) according to the last preceding Federal census."

The amendment was read and was adopted.

Senator Reagan offered the following amendment to the bill:

H. B. No. 465 is amended by striking all language on page 2, lines 52, 53, and 54, and substituting the following:

"Section 7F. This section applies only to cities having a population of less than one hundred sixty-five thousand (165,000) and to cities having a population of more than one hundred eighty-five thousand (185,000) according to the last preceding Federal census. In cities of less than one hundred sixty-five thousand (165,000) the monthly pension allowance as provided for under Sections 6, 7, and 7A of this Act, and in cities of more than one hundred eighty-five thousand (185,000) the monthly pension allowance as provided for under Sections 6B, 7B, and 7C of this Act, may be increased provided that;"

The amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 465 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 19, 1967

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 438, A bill to be entitled "An Act relating to the testing of milk and cream; providing a penalty; amending Articles 5728, 5736b (Article 1057b, Vernon's Texas Penal Code), and 5736d, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

(With amendments.)

S. B. No. 33, A bill to be entitled "An Act relating to the rights, duties, privileges, powers, and liabilities of spouses; revising and amending Chapters 2 and 3, Title 75, Revised Civil Statutes of Texas, 1925; amending Articles 6632, 6647, 1065, 5518, 5519, and 5535; amending the In-

surance Code by adding a new Article 3.49-3; repealing Articles 1300, 1983, 1985, 4611, 4612, 4616, 6605, 6608, 6648, 6649, 6650, and 6651, Revised Civil Statutes of Texas, 1925; providing a saving clause; and declaring an emergency."

(With amendments.)

S. B. No. 199, A bill to be entitled "An Act amending Article 11.19 of the Insurance Code of the State of Texas, same being Acts of 1951, 52nd Legislature, Regular Session, Chapter 491, Page 868, as amended, codified as the Insurance Code, Vernon's Texas Civil Statutes, so as to add reference to Articles 11.20 and 11.21 of such Code; to amend such Code so as to add Article 11.20 thereto so as therein to enable mergers and consolidations of mutual life insurance companies, to prescribe the procedures to be followed for and the conditions to effectuation of such mergers and consolidations, and the effect of mergers and consolidations of such companies; to amend such Code so as to add Article 11.21 thereto so as to enable and prescribe certain conditions to total reinsurance agreements between domestic mutual life insurance companies and any other life insurance companies; providing for a severability clause; providing for repeal of laws in conflict to the extent of such conflict only; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 36 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 36, A bill to be entitled "An Act relating to interpreters for the deaf and deaf-mute persons in civil and criminal proceedings; amending Article 38.31, Code of Criminal Procedure, 1965; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 36 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule

32 requiring bills to be read on three several days be suspended and that H. B. No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 306 on Second Reading

Senator Watson asked unanimous consent to suspend the regular order of business and take up H. B. No. 306 for consideration at this time.

There was objection.

Senator Watson then moved to suspend the regular order of business and take up H. B. No. 306 for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Herring |
| Bates | Hightower |
| Bernal | Jordan |
| Berry | Kennard |
| Blanchard | Mauzy |
| Brooks | Moore |
| Christie | Parkhouse |
| Cole | Patman |
| Connally | Ratliff |
| Creighton | Reagan |
| Grover | Schwartz |
| Hall | Strong |
| Hardeman | Wade |
| Harrington | Watson |
| Hazlewood | Wilson |

Nays—1

Word

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 306, A bill to be entitled "An Act amending the Veterans Land Board—Veterans' Land Fund Act, being Chapter 318, Acts of the Fifty-first Legislature, Regular Session 1949, as amended, providing for the issuance and sale of Veterans' Land Bonds; providing for certain moneys and lands to comprise the Veterans' Land Fund; providing for the repayments of the principal and interest, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 306 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 306 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Herring |
| Bates | Hightower |
| Bernal | Jordan |
| Berry | Kennard |
| Blanchard | Mauzy |
| Brooks | Moore |
| Christie | Parkhouse |
| Cole | Patman |
| Connally | Ratliff |
| Creighton | Reagan |
| Grover | Schwartz |
| Hall | Strong |
| Hardeman | Wade |
| Harrington | Watson |
| Hazlewood | Wilson |

Nays—1

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Word asked to be recorded

as voting "Nay" on the final passage of H. B. No. 306.

House Bill 37 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 37, A bill to be entitled "An Act relating to interpreters for deaf and severely hard-of-hearing persons taking state examinations; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 37 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 567 on First Reading

By unanimous consent, Senator Berry moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Berry and Bernal:

S. B. No. 567, A bill to be entitled "An Act creating the 141st Judicial District and the 141st District Court of Bexar County; providing for the court's jurisdiction, terms, personnel, administration, and practice; amending Subsections (B), (E), (G), (H), (K), (M), (N), (O), and (Q), Section 4, Chapter 507, Acts of the 58th Legislature, 1963; and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

House Bill 446 on Second Reading

Senator Wilson asked unanimous consent to suspend the regular order of business and take up H. B. No. 446 for consideration at this time.

There was objection.

Senator Wilson then moved to suspend the regular order of business and take up H. B. No. 446 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

| | |
|-----------|------------|
| Bates | Connally |
| Bernal | Creighton |
| Berry | Grover |
| Blanchard | Hall |
| Brooks | Hardeman |
| Christie | Harrington |
| Cole | Hazlewood |

| | |
|-----------|----------|
| Hightower | Schwartz |
| Jordan | Strong |
| Kennard | Wade |
| Moore | Wilson |
| Ratliff | Word |
| Patman | |

Nays—6

| | |
|---------|-----------|
| Aikin | Parkhouse |
| Herring | Reagan |
| Mauzy | Watson |

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 446, A bill to be entitled "An Act relating to the authority of cities and counties to issue revenue bonds for the purpose of acquiring property for industrial development purposes, and to lease such property; providing that the property is taxable; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Mauzy, Herring, Parkhouse, Grover, Aikin, Reagan and Watson asked to be recorded as voting "Nay" on the passage of the bill to third reading.

Senate Bill 568 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Word:

S. B. No. 568, A bill to be entitled "An Act providing for the control and operation of public Hospital Corporations incorporated under the Laws of the State of Texas on and after the 7th Day of December, 1966, for the purpose of accumulating funds by means of donations from private persons and contributions from the United States of America to be used by the corporation in the erection and equipment of such hospitals and for the control, operation and responsibilities of such corporations and trustees, and setting out provisions for the construction and management of county hospitals by such corporations and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 210, A bill to be entitled "An Act relating to municipal pension systems in certain cities in the state; amending Chapter 358, Acts of the 50th Legislature, 1947, as amended (Article 6243g, Vernon's Texas Civil Statutes); and declaring an emergency."

S. B. No. 396, A bill to be entitled "An Act authorizing issuance to certain associations of teachers or school administrators of group insurance policies covering any class or classes of their members and members' dependents for one or more of the risks herein enumerated; providing that such policies may be issued to any such association as the policyholder upon the terms and conditions set out in this act, notwithstanding contrary or inconsistent provisions in any other act contained; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Recess

Senator Hardeman moved that the Senate take recess until 7:00 o'clock p.m. today.

Senator Blanchard moved that the Senate take recess until 2:00 o'clock p.m. today.

Question first on the motion to take recess until 7:00 o'clock p.m. today, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—13

| | |
|------------|-----------|
| Bates | Hightower |
| Bernal | Jordan |
| Brooks | Mauzy |
| Cole | Schwartz |
| Connally | Strong |
| Hardeman | Wilson |
| Harrington | |

Nays—15

| | |
|-----------|-----------|
| Aikin | Parkhouse |
| Blanchard | Patman |
| Christie | Ratliff |
| Creighton | Reagan |
| Grover | Wade |
| Hazlewood | Watson |
| Herring | Word |
| Moore | |

Absent

| | |
|-------|---------|
| Berry | Kennard |
| Hall | |

Question next on the motion to take recess until 2:00 o'clock p.m. today, the motion prevailed.

Accordingly the Senate at 11:58 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 722, to Committee on State Affairs.

H. B. No. 1096, to Committee on Counties, Cities and Towns.

H. B. No. 1207, to Committee on State Departments and Institutions.

House Bill 813 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 813, A bill to be entitled "An Act providing for the creation of a county hospital district whose boundaries are coextensive with the boundaries of the Rankin Independent School District as such boundaries existed on January 1, 1967, in Upton County, Texas; providing for an election in the district to create a hospital district; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 813 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 813 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

House Bill 816 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 816, A bill to be entitled "An Act providing for the creation of

a county hospital district whose boundaries are coextensive with the boundaries of the McCamey Independent School District as such boundaries existed on January 1, 1967, in Upton County, Texas; providing for an election in the district to create a hospital district; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 816 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 816 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Berry | Mauzy |
| Blanchard | Moore |
| Brooks | Parkhouse |
| Christie | Patman |
| Cole | Ratliff |
| Connally | Reagan |
| Creighton | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Hardeman | Watson |
| Harrington | Wilson |
| Hazlewood | Word |
| Herring | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Hazlewood |
| Bates | Herring |
| Bernal | Hightower |
| Berry | Jordan |
| Blanchard | Kennard |
| Brooks | Mauzy |
| Christie | Moore |
| Cole | Parkhouse |
| Connally | Patman |
| Creighton | Ratliff |
| Grover | Reagan |
| Hall | Schwartz |
| Hardeman | Strong |
| Harrington | Wade |

Watson
Wilson

Word

Senate Bill 566 Re-referred

On motion of Senator Moore and by unanimous consent S. B. No. 566 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Cole by unanimous consent submitted the following report:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 250, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 566, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CHRISTIE

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 768, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CHRISTIE

House Bill 63 Ordered Not Printed

On motion of Senator Bates and by unanimous consent H. B. No. 63 was ordered not printed.

House Bill 962 Ordered Not Printed

On motion of Senator Patman and by unanimous consent H. B. No. 962 was ordered not printed.

House Bill 768 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent H. B. No. 768 was ordered not printed.

Senate Bill 566 Ordered Not Printed

On motion of Senator Moore and by unanimous consent S. B. No. 566 was ordered not printed.

House Bill 160 on Second Reading

Senator Word asked unanimous consent to suspend the regular order of business and take up H. B. No. 160 for consideration at this time.

There was objection.

Senator Word then moved to suspend the regular order of business and take up H. B. No. 160 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Bernal | Kennard |
| Brooks | Mauzy |
| Christie | Patman |
| Cole | Reagan |
| Connally | Schwartz |
| Creighton | Strong |
| Grover | Wade |
| Hall | Watson |
| Hardeman | Wilson |
| Harrington | Word |
| Herring | |

Nays—3

| | |
|-----------|---------|
| Blanchard | Ratliff |
| Parkhouse | |

Absent

| | |
|-----------|-------|
| Berry | Moore |
| Hazlewood | |

The President laid before the Sen-

ate on its second reading and passage to third reading:

H. B. No. 160, A bill to be entitled "An Act authorizing cities of more than 10,000 inhabitants, according to the last preceding federal census, to adopt a program whereby upon consent of any municipal employee a stipulated amount will be withheld from his monthly salary or wages to be forwarded to this bona-fide employee's association in payment of membership dues; providing penalties for violation; and declaring an emergency."

The bill was read second time.

Senator Word offered the following Committee Amendment to the bill:

Amend House Bill No. 160 by adding to Section 1 (a) the following:

" ; however, nothing herein shall affect or contravene any word, clause or section of any charter or charter amendment that has been adopted at an election of the qualified voters of any such city."

The Committee Amendment was read and was adopted.

On motion of Senator Blanchard and by unanimous consent the vote by which the Committee Amendment was adopted was reconsidered.

Question—Shall the Committee Amendment to H. B. No. 160 be adopted?

Pending discussion by Senator Parkhouse of the pending Committee Amendment, Senator Schwartz moved that the Senate take recess until 7:00 o'clock p.m. today.

The motion was lost.

House Bill 160 on Second Reading

The Senate resumed the consideration of the pending business (same being H. B. No. 160 on its second reading and passage to third reading with Committee Amendment pending).

Question—Shall the Committee Amendment to H. B. No. 160 be adopted?

Motion to Recess

Pending discussion by Senator Parkhouse of the pending Committee Amendment, Senator Schwartz moved that the Senate take recess until 7:15 o'clock p.m. today.

Question on the motion to recess, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—12

| | |
|----------|-----------|
| Bates | Kennard |
| Bernal | Mauzy |
| Brooks | Parkhouse |
| Cole | Schwartz |
| Connally | Strong |
| Jordan | Wilson |

Nays—17

| | |
|------------|-----------|
| Aikin | Hightower |
| Blanchard | Moore |
| Christie | Patman |
| Grover | Ratliff |
| Hall | Reagan |
| Hardeman | Wade |
| Harrington | Watson |
| Hazlewood | Word |
| Herring | |

Absent

| | |
|-------|-----------|
| Berry | Creighton |
|-------|-----------|

House Bill 160 on Second Reading

The Senate resumed the consideration of the pending business (same being H. B. No. 160 on its second reading and passage to third reading with Committee Amendment pending).

Question—Shall the Committee Amendment to H. B. No. 160 be adopted?

The Committee Amendment failed of adoption.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Parkhouse offered the following amendment to the bill:

Amend H. B. No. 160 Section 1, line 2 by striking out the figures "10,000" and insert in lieu thereof the figures "40,000".

The amendment was read.

Pending discussion of the amendment by Senator Parkhouse, Senator Ratliff moved that the Senate take recess until 7:00 o'clock p.m. today.

Question on the motion to take recess until 7:00 o'clock p.m. today, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—4

| | |
|----------|-----------|
| Berry | Parkhouse |
| Hardeman | Ratliff |

Nays—24

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Kennard |
| Blanchard | Mauzy |
| Brooks | Moore |
| Christie | Patman |
| Cole | Reagan |
| Connally | Schwartz |
| Grover | Strong |
| Hall | Wade |
| Harrington | Watson |
| Hazlewood | Wilson |
| Herring | Word |

Absent

| | |
|-----------|--------|
| Bernal | Jordan |
| Creighton | |

Question—Shall the amendment by Senator Parkhouse to H. B. No. 160 be adopted?

**Committee to Escort Governor
Connally to Joint Session**

The President announced the following as a Committee to escort Governor Connally to the Joint Session pursuant to the provisions of H. C. R. No. 100:

Senators Aikin, Hall, Strong, Wilson and Bernal.

Recess

On motion of Senator Word the Senate at 4:34 o'clock p.m. took recess until 7:00 o'clock p.m. today.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the motion to recess.

After Recess

The President called the Senate to order at 7:00 o'clock p.m.

At Ease

The President at 7:10 o'clock p.m. announced that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 7:25 o'clock p.m.

Leave of Absence

Senator Hardeman was granted leave of absence for the remainder of the day on account of important business on motion of Senator Aikin.

Motion to Recess

On motion of Senator Blanchard and by unanimous consent the Senate agreed to take recess at the conclusion of the Joint Session until 9:00 o'clock a.m. tomorrow.

Joint Session

(To hear address of The Honorable John Connally, Governor of The State of Texas)

The President announced at 7:25 o'clock p.m., the time had arrived to hear an address by Governor John Connally, pursuant to the provisions of H. C. R. No. 100.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 7:25 o'clock p.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Platform.

The Honorable John Connally, Governor of The State of Texas was escorted to the Speaker's Rostrum by Senators Aikin, Hall, Strong, Wilson and Bernal, on the part of the Senate, and Representatives Hendryx of Brewster, Sherman, Cory, Duggan, Finck, Blaine, Simpson, Slack, Atwell and Hinson on the part of the House.

The President called the Senate to order, and announced a quorum of the Senate present.

Honorable Ben Barnes, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present and stated the purpose of the Joint Session.

The Speaker, The Honorable Ben Barnes then presented His Excellency, The Honorable John Connally, Governor of Texas, to the Joint Session.

Governor Connally then addressed the Joint Session as follows:

To the Members of the Sixtieth Legislature, Regular Session:

I come before you tonight filled with a sense of concern—for the future of our state.

Since 1940 the population of our state has increased by approximately four and one-half million. This increase alone is greater than the present total population of any one of forty states in our nation.

As our population has increased so, too, has it become more mobile. No longer are we a rural state. Today, more than seventy percent of our people live within the twenty-two metropolitan areas of our state.

Our economy, too, is permeated by change. We are in the midst of a technological revolution. New products, new processes are appearing in the market place in ever increasing numbers.

Everywhere we look we find the whirlwinds of change blowing strong—through the structure of our society—in religion, education, communication, industry, transportation—change is the keynote.

We are living in an era unparalleled in human history—an era of vibrant, violent change—change which permeates every aspect of our society—every aspect of our individual lives.

Whether we like it or not—we must adapt ourselves to this age of change in order that we may control it rather than have it overrun us.

With our world in transition, we stand in grave danger of losing the traditions, values and stability which have contributed so much to our greatness. This need not occur if we have the foresight, wisdom and courage to act promptly and decisively as change takes place about us.

Ours is a government based on responsiveness to the needs of the people. As such, it cannot play a pas-

sive role in this process. We must take action to insure that change in our time serves as a benefit and not a burden for our people.

With these things in mind I came before you three months ago to strongly recommend a comprehensive program of action for this Legislature.

It is a realistic program, fashioned to balance aspirations with resources.

It seeks to do that which must be done if we are to meet our responsibilities.

Let us be reminded that tonight concludes the 100th day of this 140 day session. Only 40 days remain for the consideration of vital legislation.

Three months ago we discussed the critical problem of the rising incidence of crime in our State. This increase has continued unabated. The people of Texas are rightfully looking to us to do something about it.

In the last three months, 275 persons have been murdered in our State . . . 350 women have been raped . . . 1,200 persons have been robbed . . . there have been 19,000 burglaries . . . there have been 4,500 aggravated assaults . . . 45,000 thefts . . . 5,500 auto thefts.

I submitted to you in January proposals for badly needed changes in the Texas Code of Criminal Procedure and the Texas Penal Code designed to provide our law enforcement officials the tools with which to combat and contain the criminal element.

As yet, none of these measures has been finally acted on.

I submit to you that this is no time for these important measures to be blocked in a committee at the whim of a few obstructionists. The welfare of the people demands that necessary changes be made in the Code of Criminal Procedure and the Penal Code to bring about swift, effective and certain punishment to those who wilfully violate the law.

Our teachers must be able to teach in the classrooms and counsel on the playgrounds without fear of insubordination and violence.

Our homes must be secure—our streets safe—and our families free of bodily harm, whether they walk in the parks of our cities and state or whether they drive on our streets and our highways.

The law-abiding people of this state have every right to expect that we will do our utmost to protect them from the actions of the thief, the

rapist and the murderer. And more than that, I know I speak for all of the people when I express my contempt for those who use the privileges and freedoms of this nation to denounce its actions in trying to preserve some measure of freedom for those in Vietnam, or Berlin, or elsewhere in this world.

The actions of the thief or the burglar are no more reprehensible than those who would clothe themselves in the guarantees of a free system to preach class hatred and to carry on acts subversive in nature calculated to destroy the political system which guarantees them the right of free speech.

I would remind those who advocate mob rule and disregard for the law that the only sound defense of personal liberty and individual freedom rests in universal respect for and observance of law. I hope that we shall never forget that no mob ever protected any liberty, not even its own.

Three months ago I also called your attention to what we all know to be a critical situation with regard to death and destruction on the streets and highways of our state.

Here again disrespect and disregard for law are involved. The record shows that in almost every fatal accident on the highways of Texas there is at least one traffic law violation. I reported to you that some 3,400 persons were killed in traffic accidents in the year 1966 in our state.

In the last three months, 730 more persons have lost their lives, 44,000 have suffered injuries in 110,000 accidents and we have suffered an economic loss of \$118 million. My legislative recommendations included a comprehensive program designed to reduce this tragic loss, but as yet no final action on any of these measures has been taken.

There are other areas of legitimate concern to the people of this State. They involve changes not revolutionary but in conformity with their needs and they include:

- Constitutional revision.
- Election Code revision.
- Adoption of an Industrial Safety Code.

- Changes in our workmen's compensation laws, including reorganization of the Industrial Accident Board.

- Authorization of funds for

acquisition, improvement and development of state park lands.

—A strong liquor regulation act, on a local option basis including provisions to sell liquor by the drink under tight control.

—Strengthening and reorganization of agencies dealing with water pollution and air pollution.

—Provision of the machinery for the coordination of efforts in the development and expansion of agriculture.

—Revision of the Texas Unemployment Compensation Act including an increase in maximum weekly benefits.

—Adoption of a Consumer Credit Code to provide effective rate competition and to protect the poor, the aged and the unsophisticated from various types of abuses.

—Legislation to permit state participation in medical care programs as required by the Social Security Act.

—Legislation to encourage and promote efficiency and economy in metropolitan area government.

—Congressional redistricting

—Legislative redistricting

—Judicial redistricting

It should be apparent that this program has but one basic purpose—to provide for the basic needs of our people in this critical time of transition when so many basic values are being questioned and even disregarded. Now as never before, our people need a state government strong and sound, efficient and effective.

This can never be achieved when the climate of government reflects a fear of letting the people decide for themselves by majority vote what is good for them. The attitude of some on constitutional revision is a classic example.

During the four years that I have served as your Governor, the population of our state has increased by 750,000 persons. In the three months since last I spoke to you from this podium our population has increased by 47,000 persons. By this time tomorrow there will be an additional 521 residents of our state. All of whom will have a claim on the various services we can provide our people.

During this same period 1164 new industrial plants have opened on our state and 1606 have expanded operations. We have added approximately 521,000 new jobs in our economy.

In the field of tourism we have

seen a 100 per cent increase in expenditures by visitors. Today tourism in Texas is a billion dollar industry contributing over 86 million dollars in taxes to our state. Between 1965 and 1966 the increase in taxes paid by tourists was approximately 14 million dollars.

These figures should be a source of pride to all Texans because they demonstrate what we can do by working together in harmony.

More importantly, though, they serve to demonstrate the unsoundness of our present policy of trying to budget operations of our state government for periods of two years in advance of actual conditions and of trying to estimate accurately the state of our economy over such an extended period. I know of no one who would budget a 2 billion dollar-a-year business two years in advance without providing some degree of flexibility for unforeseen developments. Yet, this is what we do today in our budget process. Such a procedure can no longer be justified. It is unrealistic and unsound; especially at a time when every public dollar must be spent wisely and well.

It is for this reason that I recommended to you in January the adoption of a constitutional amendment to provide annual sessions of the Legislature. If anything, the passage of time has reinforced beyond a doubt, the fact that the enactment of such an amendment is essential to sound government.

Let us consider for a moment the financing of state government during my service as your Governor.

In 1963, a general appropriations act was passed which called for the expenditure for the 1964-65 biennium of 33 million dollars more than was reasonably anticipated to be received by the state. Therefore, the Legislature passed a 33 million dollars tax bill for the funding of our government for that biennium.

But what actually happened? Because of unprecedented economic growth at the end of the 1964-65 biennium, there was an unexpended balance in the general revenue fund of approximately 136.8 million dollars. So, based upon hindsight, it is obvious that the 33 million dollar tax bill was not necessary and only provided an additional cushion in the general revenue fund.

In 1965, we passed a 78 million

dollars tax bill to provide for the necessary financing for the current biennium. But again, because of our burgeoning economy, the unexpended balance in the general revenue fund at the end of this biennium—estimated to be approximately 140 million dollars—exceeds the amount of taxes which we thought were necessary—78 million dollars—just two short years ago. So, the net effect of the actions of that Legislature was to pass a tax bill which provided for an additional cushion in the general revenue fund.

I am convinced—as I know you are—that the people of this state are entitled to a more effective—efficient—and responsible state government, one which does not impose unnecessary taxes, one which can accurately forecast its needs and its resources, one which does not merely create unneeded cash balances as a result of the levying of new taxes.

Therefore, I propose to you that this Legislature presently pass an appropriation act to cover the necessary financing of this state government for only the first year of the next biennium. By using the unexpended balance of approximately \$140 million in the General Revenue Fund to finance a one year appropriation, the needs of this state during the first year of this biennium can be met without the imposition of any new taxes.

I will call a special session of the Texas Legislature in 1968 to provide for the requisite financing of our state government for the second year of the biennium. In 1968, we will have the opportunity to take advantage of the experience of the coming year; of economic expansion and growth; of more accurate short-range forecast of available funds. While new taxes will then unquestionably be required to meet our needs, I am convinced beyond any measure of doubt that increased available revenue estimates for both years of this biennium will sharply reduce the total amount of new taxes required for funding the level of spending I have recommended. I anticipate that we may be able to save as much as \$50 million in new taxes by this method.

Based on this recommendation, which removes the need for the enactment of any new tax measures during this session, I urge immediate consideration and action on the ap-

propriation bill to provide for the financing of our state's services and institutions for the next fiscal year.

During the past four years, we have traveled many miles together with sincerity of purpose, and with the responsibility and dedication that Texans are entitled to in placing leadership in our hands.

We built a proud record of achievement in the 58th Legislature in 1963. But we didn't do it with pettiness or jealousies. And the people of Texas were the better for our service.

We built a proud record of achievement in the 59th Legislature in 1965. But we didn't do it with divisiveness and prejudice. And the people of Texas were the better for our service.

We are now writing the record of the 60th Legislature.

The people of Texas did not send us here to serve our personal whims at public expense.

The people of Texas did not send us here to look out for our selfish interests at public expense.

The people of Texas did not send us here to place political ambitions or personal gain above the public good. I urge you here tonight to join with me in a rededication to the tasks that lie before us.

As for me, I intend to stand and fight for the measures which I believe will mean a better future for Texas.

I intend to stand and fight for the actions needed if we are to continue to have a sovereign state responsive to the needs of our changing times.

And I intend to stand and fight against the forces of strife who subvert and do dishonor to the noble instrument of government for selfish motives . . . those who would still the hand of progress without concern or conscience.

I hope you will be with me. And together, we can stand with pride when the people of Texas reflect on our stewardship of their trust.

Thank you . . . and good night.

Recess

The President announced the purpose of the Joint Session having been concluded and declared the Senate at 7:55 o'clock p.m. would take recess until 9:00 o'clock a.m. tomorrow in accordance with a motion previously adopted in the Senate.

Memorial Resolution

S. R. No. 444—By Senator Watson: Memorial resolution for Edd Doman, Sr.

Welcome Resolutions

S. R. No. 437—By Senator Watson: Extending welcome to Dr. Virgil Tweedie.

S. R. No. 439—By Senator Harrington: Extending welcome and privileges of the floor for the day to Mrs. C. T. Wickersham and Mrs. E. A. Meek.

S. R. No. 440—By Senator Wilson: Extending welcome to Mr. and Mrs. Sam Collins, et al.

S. R. No. 441—By Senator Word: Extending welcome to teacher and students of Melvin Elementary School.

S. R. No. 442—By Senator Word: Extending welcome to teachers and students of Covington High School.

S. R. No. 443—By Senators Bernal, Connally and Berry: Extending welcome to teachers and students of Cole High School of San Antonio.

S. R. No. 445—By Senator Herring: Extending welcome to teacher and students of Leander High School.

S. R. No. 446—By Senator Wilson: Extending welcome to teachers and students of Frost High School.

S. R. No. 447—By Senators Bernal and Berry: Extending welcome to teachers and members of Student Council of John Marshall High School of San Antonio.

S. R. No. 448—By Senator Herring: Extending welcome to teacher and students of seventh grade class of Liberty Hill.

S. R. No. 449—By Senator Aikin: Extending welcome and privileges of the floor for the day to Dr. John Smith.

APPENDIX**Report of Standing Committee**

Senator Hardeman submitted the following report:

Austin, Texas,
April 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 236, "An Act authorizing the Texas Department of Mental Health and Mental Retardation to make contracts for the provision of mental health and mental retardation services; amending Section 2.13, Chapter 67 Acts of the 59th Legislature, Regular Session, 1965 (codified as Section 2.13, Article 5547-202, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

April 19, 1967

S. B. No. 236

In Memory of
Martin G. Hyltin

Senator Herring offered the following resolution:

(Senate Concurrent Resolution 52)

Whereas, Citizens of Austin and the entire State of Texas lost an esteemed civic leader and pioneer in rural electrification with the death on December 27, 1966, of Martin G. Hyltin; and

Whereas, When he died at the age of 66, Mr. Hyltin was a consultant to Electrical Power Operations, Inc., a business he organized on his retirement in 1965 as manager of two of the largest rural electric systems in the world—the Pedernales Electric Cooperative at Johnson City and the Lower Colorado River Electric Cooperative at Giddings; and

Whereas, His career in the power industry dated back to 1926, when he was employed as a trainee by Texas Power and Light Company; he was soon promoted to district manager and, in 1938, his friend, Max Starcke, was named operations manager for the Lower Colorado River Authority and persuaded Hyltin to work with him; and

Whereas, In 1942, when he became general manager of the two rural electric cooperatives, there was a severe shortage of materials due to World War II; the service of the cooperatives during that period was made possible largely through his ingenuity: in providing power lines for the air base which was located at San Marcos, he strung barbed wire removed from around the site on poles made of railroad pilings and scrap two-by-fours; and

Whereas, Before his retirement he had built the two rural electric systems up to a capital investment of approximately \$25 million, serving 32,000 members, including the President at the LBJ Ranch, on more than 12,000 miles of line; and

Whereas, He was a member of the Methodist Church, the Masonic Lodge, the Boosters Club, and the Chamber of Commerce; and

Whereas, It is appropriate that the Texas Legislature express appreciation for the life and service of Martin G. Hyltin; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That by this Resolution the 60th Legislature pay tribute to Martin G. Hyltin and extend deep sympathy to his family: his wife; a son, Tommy Hyltin of Dallas; a daughter, Mrs. Nell Mays of Tulia; and two grandchildren; and, be it further

Resolved, That copies of this Resolution be prepared for his wife and children and when the two houses of the Legislature adjourn this day, that they do so in memory of Martin G. Hyltin.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.